

IN RE: PETITION FOR ZONING VARIANCE
N/S Mt. Laurel Court, 1,425'
N of St. Paul Avenue
(12618 Mt. Laurel Court)
4th Election District
3rd Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-197-A

Stephen M. LeGendre, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 40 feet in lieu of the required 50 feet for a proposed addition, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of December, 1988 that the Petition for Zoning Variance to permit a side yard setback of 40 feet in lieu of the required

50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioners shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartment. The addition shall contain no kitchen or bathroom facilities.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/15/88
By *[Signature]*

-2-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

December 1, 1988

Mr. & Mrs. Stephen M. LeGendre
12618 Mt. Laurel Court
Reisterstown, Maryland 21136

RE: PETITION FOR ZONING VARIANCE
N/S Mt. Laurel Court, 1,425' N of St. Paul Avenue
(12618 Mt. Laurel Court)
4th Election District - 3rd Councilmanic District
Stephen M. LeGendre, et ux - Petitioners
Case No. 89-197-A

Dear Mr. & Mrs. LeGendre:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

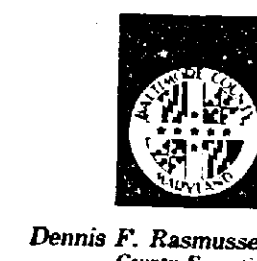
Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File



CERTIFICATE OF PUBLICATION

TOWSON, MD., November 10, 1988.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 10, 1988.

THE JEFFERSONIAN,

Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on the following date and time:
Date: Wednesday, November 30, 1988 at 2:00 p.m.
Petitioner(s): Stephen M. LeGendre, et ux
Hearing Date: Wednesday, November 30, 1988 at 2:00 p.m.
Variance to allow a side yard setback of 40 feet in lieu of the required 50 feet.
IF PHASE II OF THE EMERGENCY PLAN IS IN EFFECT, EMERGENCY PLAN IS IN EFFECT ON THIS DATE. CASE FILED ON THIS DATE. CASE MAY BE RESCHEDULED. CALL 494-3353 TO RESCHEDULE DATE.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County
11421 Nov 10

89-197-A
PO 05799
reg M20403
case
price \$39.38

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: November 7, 1988

Posted for: Variance

Petitioner: Stephen M. LeGendre, et ux

Location of property: N/S Mt. Laurel Court, 1425' N St. Paul Avenue

(12618 Mt. Laurel Court)

Location of Sign: In front of 12618 Mt. Laurel Court

Remarks: *[Signature]*

Posted by: *[Signature]* Date of return: November 18, 1988

Number of Signs: 1

BEING known and designated as Lot, No. 95 as shown on the Plat entitled "Section Five, SAGAMORE FOREST", which Plat is recorded among the Land Records of Baltimore County in Plat Book EIR, Jr. No. 39, Folio 142. Containing 1.628 acres of land, more or less.

BEING the same property described in a Deed dated February 28, 1983 and recorded among the Land Records of Baltimore County in Liber 6502, Folio 411 from Ronald L. Taylor to Stephen M. LeGendre and Glenda LeGendre, his wife.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

Date: 11-15-88

Mr. & Mrs. Stephen M. LeGendre
12618 Mt. Laurel Court
Reisterstown, Maryland 21136

Re: Petition for Zoning Variance
N/S Mt. Laurel Court, 1425' N St. Paul Avenue
(12618 Mt. Laurel Court)
4th Election District - 3rd Councilmanic District
Petitioner(s): Stephen M. LeGendre, et ux
HEARING SCHEDULED: WEDNESDAY, NOVEMBER 30, 1988 at 2:00 p.m.*

Dear Mr. & Mrs. LeGendre:

Please be advised that \$39.39 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 056970

DATE: 11-30-88 ACCOUNT: R-01-CIS 600

AMOUNT: \$ 39.37

RECEIVED FROM: Stephen M. LeGendre

FOR: Advertising & Posting (Case # 89-197-A)

8 810*****893618 33045

VALIDATION OR SIGNATURE OF CASHIER

post set(s), there each set not

er of

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on the following date and time:
Date: Wednesday, November 30, 1988 at 2:00 p.m.
Petitioner(s): Stephen M. LeGendre, et ux
Hearing Date: Wednesday, November 30, 1988 at 2:00 p.m.
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IF PHASE II OF THE EMERGENCY PLAN IS IN EFFECT, EMERGENCY PLAN IS IN EFFECT ON THIS DATE. CASE FILED ON THIS DATE. CASE MAY BE RESCHEDULED. CALL 494-3353 TO RESCHEDULE DATE.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County
11421 Nov 10

IS OF MARYLAND, INC.

Nov. 10, 1988

ed 89-197-A

essive weeks/days previous

1988

in the

daily newspaper published

Carroll County, Maryland.

daily newspaper published

Baltimore County, Maryland.

daily newspaper published

Baltimore County, Maryland.

IS OF MARYLAND, INC.

[Signature]

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3 To allow a side yard setback of 40 ft. in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
This is a pie shaped lot with the home at the narrow end. The setback requirement is 50'. We require a 10' variance from the side setback (40' setback) on the south side for an addition to accommodate our growing family. The north side would require a greater variance and is unsuitable because of an attached garage and driveway. Rear is unsuitable due to extreme grade, structural wall and existing deck. Front is unsuitable due to structural wall and the existing entrance and concrete walkway. The proposed addition is compatible with the neighborhood.
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Stephen M. LeGendre
Signature: *[Signature]*
Address: Glenda LeGendre
(Type or Print Name)
City and State: *[Signature]*

Attorney for Petitioner:

(Type or Print Name) 12618 Mt. Laurel Ct. 833-4376

Address: Reisterstown, Md. 21136

City and State: Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name: Name

Address: Address

City and State: City and State

Attorney's Telephone No.: Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day

of November 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of November, 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

October 14, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
N/S Mt. Laurel Court, 1425' N St. Paul Avenue
(12618 Mt. Laurel Court)
4th Election District - 3rd Councilmanic District
Petitioner(s): Stephen M. LeGendre, et ux
HEARING SCHEDULED: WEDNESDAY, NOVEMBER 30, 1988 at 2:00 p.m.*

Variance to allow a side yard setback of 40 ft. in lieu of the required 50 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
cc: Stephen M. LeGendre
File

IF PHASE II OF THE EMERGENCY PLAN IS IN EFFECT, EMERGENCY PLAN IS IN EFFECT ON THIS DATE. CASE FILED ON THIS DATE. CASE MAY BE RESCHEDULED. CALL 494-3353 TO RESCHEDULE DATE.
IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SIGN HEARING WILL BE POSTED AND TENTATIVELY RESCHEDULED FOR THURSDAY, DECEMBER 22, 1988. PLEASE TELEPHONE BUDGET CLEW AT 494-3351 TO CONFIRM DATE.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 16, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. & Mrs. Stephen M. LeGendre
12618 Mt. Laurel Court
Reisterstown, MD 21136

RE: Item No. 135; Case No. 89-197-A
Petitioner: Stephen M. LeGendre, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. LeGendre:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:scj

Enclosures

*Did not send letter
or comments since
there were none*

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

October 28, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 124, 129, 130, 131, 132, 133, 134, 135, 136, 138, and 139.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate

MSF/lvw

RECEIVED
NOV 9 1988

ZONING OFFICE

David and Cheryl Trudil
12616 Mt. Laurel Ct.
Reisterstown, Md. 21136

J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: 12618 Mt. Laurel Ct.

Dear Commissioner Haines:

We support the petition for a variance to allow a side yard setback of 40 ft. in lieu of the required 50 ft. for the proposed addition at the above address.

Very truly yours,

David Trudil
David Trudil

Cheryl Trudil
Cheryl Trudil

PETITIONER'S
EXHIBIT 2

Mark and Sara Hassman
12620 Mt. Laurel Ct.
Reisterstown, Md. 21136

J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: 12618 Mt. Laurel Ct.

Dear Commissioner Haines:

We support the petition for a variance to allow a side yard setback of 40 ft. in lieu of the required 50 ft. for the proposed addition at the above address.

Very truly yours,

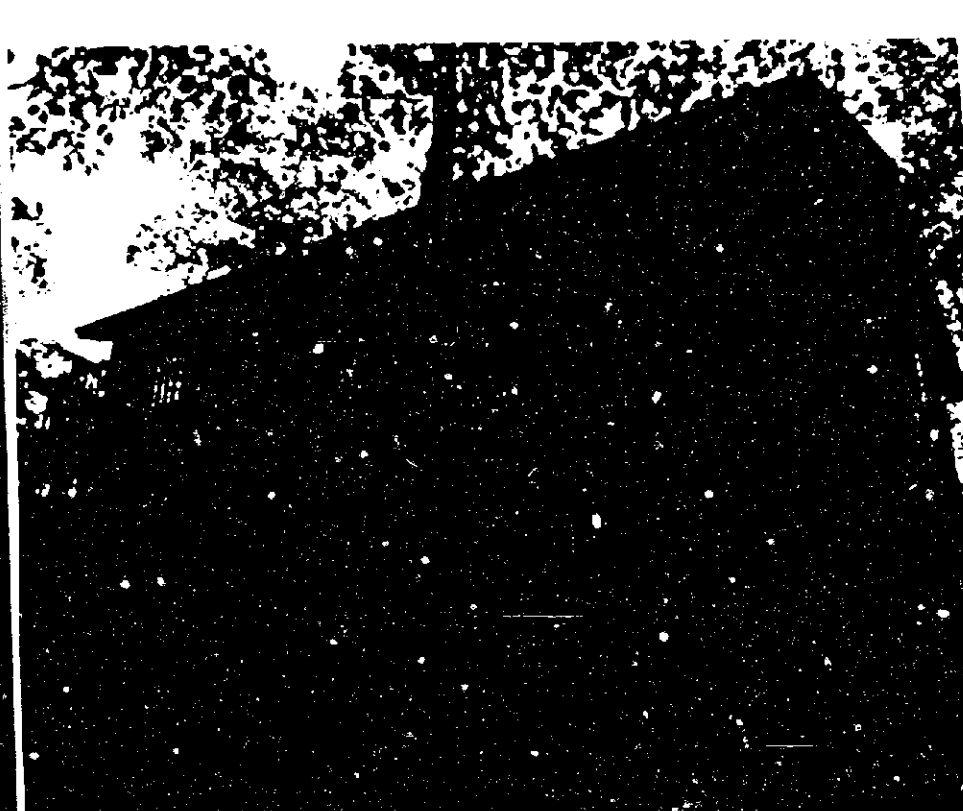
Mark Hassman
Mark Hassman

Sara Hassman
Sara Hassman

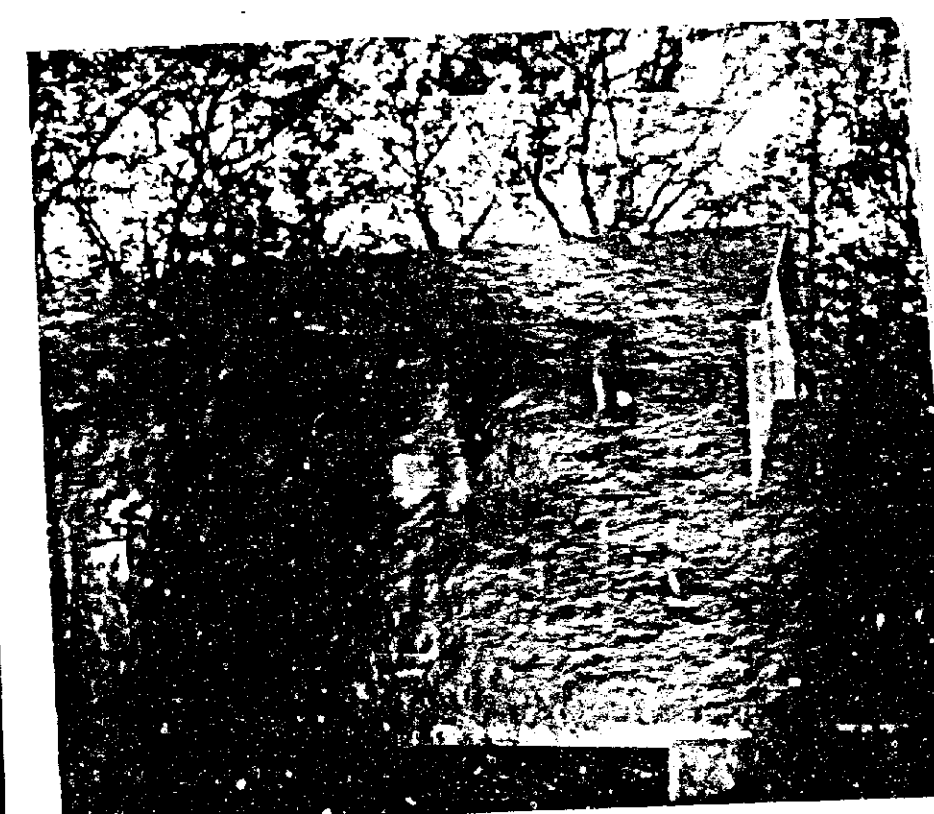
PETITIONER'S
EXHIBIT 3



↑ SOUTH SIDE (PROPOSED FOR ADDITION)

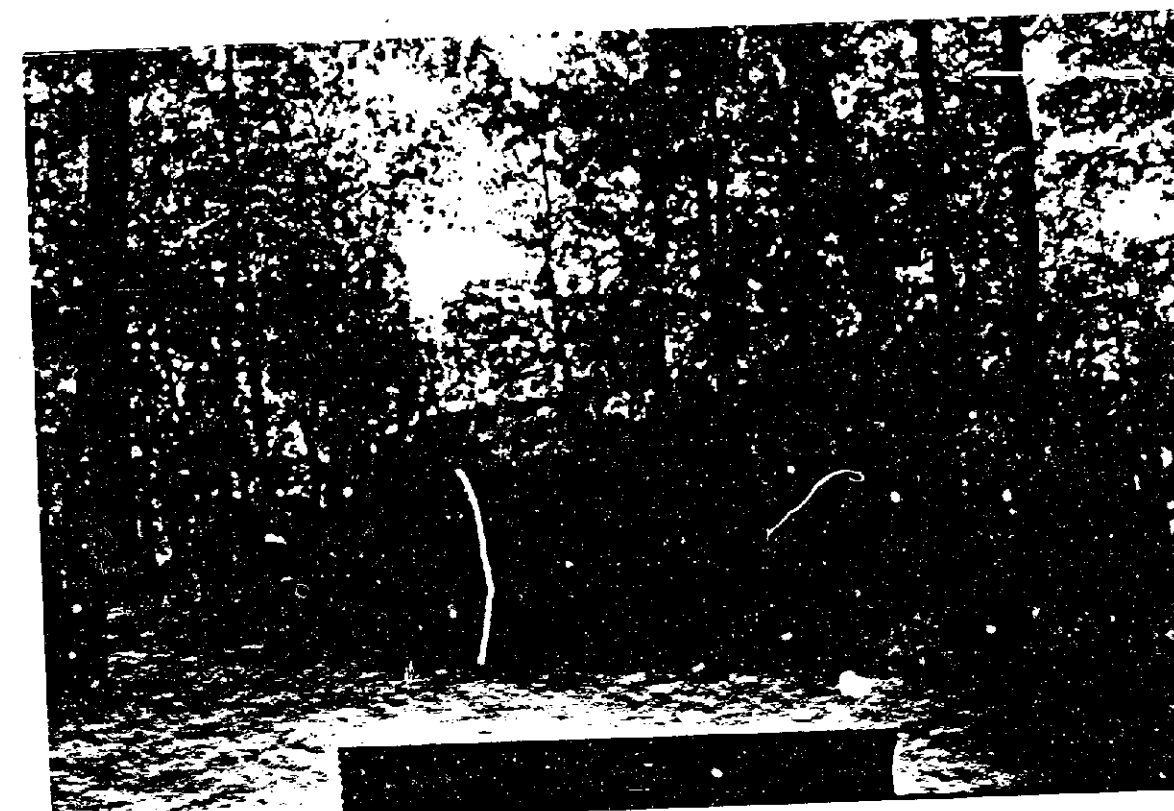


↑ REAR



↑ FRONT
PETITIONER'S
EXHIBIT 4

PETITION FOR ZONING VARIANCE
12618 MT. LAUREL CT.
STEPHEN M. & GLENDA LEGENDRE



VIEW FROM PROPOSED ADDITION TO 12616 MT. LAUREL CT



VIEW FROM PROPOSED ADDITION TO 12620 MT. LAUREL CT

PETITIONER'S
EXHIBIT 5

PETITION FOR ZONING VARIANCE
12618 MT. LAUREL CT.
STEPHEN M. & GLENDA LEGENDRE



Gaylord Brooks Architectural Committee, Inc.
P.O. Box 193, Paper Mill Road, Phoenix, Maryland 21131 (301) 667-0800

November 21, 1988

Mr. Stephen M. LeGendre
12618 Mt. Laurel Court
Reisterstown, MD 21136

Re: House Plan Approval
For an addition to
Lot 95, Sagamore Forest

Dear Mr. LeGendre:

please be advised that the plans for the above mentioned property have been fully approved by Gaylord Brooks Architectural Committee, Inc.

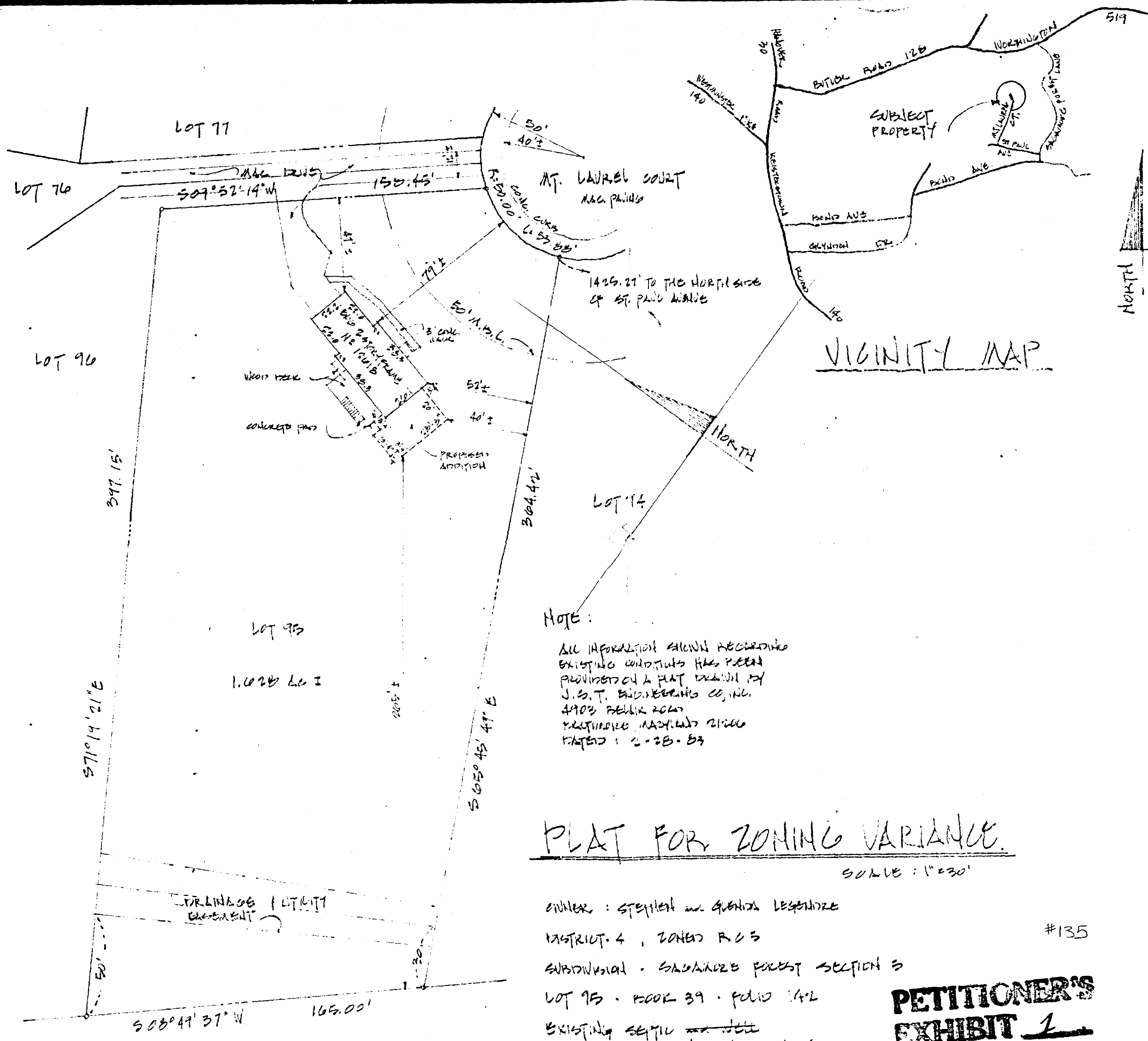
Thank you for your cooperation in this matter.

Sincerely,

Gabrielle J. Gasparello
Gabrielle J. Gasparello
Vice President

GJG/bfs

PETITIONER'S
EXHIBIT 6



NOTE:

ALL INFORMATION SHOWN ACCORDING
 EXISTING CONDITIONS HAS BEEN
 PROVIDED ON A PLAT EXAMINED BY
 J.S.T. ENGINEERING CO., INC.
 4903 BELLE RICH
 BETHESDA, MARYLAND 20814
 DATED: 1-28-83

PLAT FOR ZONING VARIANCE.

SCALE: 1"=30'

OWNER: STEPHEN M. GIBSON LEGENDRE
 DISTRICT: 4, ZONED R-6S
 SUBDIVISION: SAGHORE FOREST SECTION 3
 LOT 95 - BOOK 39 - FOLIO 142
 EXISTING SEPTIC TANK
 " Water in Mt. Laurel Ct.

**PETITIONER'S
 EXHIBIT 1**

#135

<p>12639 MT. LAUREL CT.</p>
<p>ROBERT GIBSON, ARCHITECT 115 GUNNARWOOD LANE GUNNARWOOD, MD 21117 301-243-4143</p>
<p>DATE: SEPTEMBER 20, 1983</p>
<p>SHEET OF 1</p>
<p>LEGS NE 000001</p>